IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

LA.App..No. 570 of 2005()

LAR.243/2000 of ADL.SUB COURT, THALASSERY
.....

APPELLANT: RESPONDENT.

STATE OF KERALA,

BY GOVT.PLEADER SRI.K.V.MANOJ KUMAR

RESPONDENTS: CLAIMSNTS.

K.V.CHIRUTHAI AMMA, SANTHOSH BHAVAN,
P.O.EDAYANNUR.

BY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN,JJ.

L.A.A.No.570 of 2005

Dated this the 8th day of March, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is against the judgment and decree dated 24-1-2004 in L.A.R.No.243/2000 on the file of the Sub Court, Thalassery. The acquisition is for the purpose of construction of Kannur Air Port. The Land Acquisition Officer awarded Rs.468/- per cent, which was enhanced by the reference court to Rs.1,000/- per cent. It is seen that the enhancement is based on the evidence available on record including the commission report and the claimant's evidence. It is seen that in connected cases the enhancement as such has been sustained since the fixation made by the reference court is on the basis of the market value in respect of neighbouring lands.. Only those cases wherein there was confusion regarding the market value alone were remanded to the reference court. Since we agree with the reasoning and finding of the reference court, this appeal is dismissed.

(KURIAN JOSEPH, JUDGE)

(K.T.SANKARAN, JUDGE)

ahg.